

**REMARKS BY ELISA MASSIMINO
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10/5 PRESS CONFERENCE ON H.R. 10 SECTION 3032
ON WEAKENING PROTECTIONS AGAINST TORTURE**

If this provision is about fighting terrorism, I say it is weak and poses more of a threat than it does any protection against terrorism. If we have suspected terrorists in our custody, the last thing we should be doing is deporting them. We are engaged in a global struggle against terrorism; I fail to see how exporting a suspected terrorist -- someone who we believe poses a threat to the United States -- to wander freely abroad, so they can plot to harm Americans here or elsewhere, in any way makes us safer. Deportation is a slap on the wrist compared to the force of the American criminal justice system. We have dozens of laws criminalizing terrorist acts; if we have custody of a suspected terrorist, that person should be investigated, prosecuted and jailed. That would make us safer.

But if this provision is, as I suspect, about tying the President's hands in the worldwide fight against torture, then I say shame on those who are proposing it. As Americans around the world -- our troops and civilians alike -- increasingly become the targets of terror and torture, we undermine these core principles, like the absolute ban on torture, at our peril. Torture is an abhorrent practice. President Bush has called its eradication a "great mission." If we are to lead the fight against torture by example, we cannot -- we must not -- authorize US complicity in these despicable acts. That would be an example -- and a message -- that our enemies will follow and cite with relish. This is no time to weaken the President's hand in building a world where human rights are respected and protected by the rule of law.